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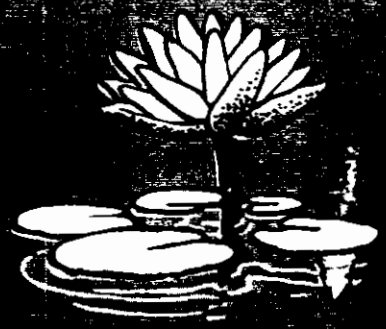

ASIA TRAINING CENTER, UH/EWC

935 15th STREET

HONOLULU, HAWAII

DEBRIEF OF A PRISON ADVISOR

(PUBLIC SAFETY)

PHUOC TUY, THUA THIEN, AND GIA DINH

VIETNAM

1960 - 1967

No. 46712

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Control Code 46712

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DEBRIEF OF A PRISON ADVISOR

(PUBLIC SAFETY)

PHUOC TUY, THUA THIEN, AND GIA DINH

VIETNAM

1960 - 1967

This AID representative served in Vietnam for seven years and so has had an unusual opportunity to view the evolution, direction and value of the Public Safety Assistance Program over a relatively long period. His debrief report reflects satisfaction and optimism. Particularly interesting is the unstated understanding, which pervades his discussion, that change is not quickly achieved. ("...at one time you couldn't breathe because of the flies and just five years later there were only two or three flies buzzing around.")

He makes the following interesting observations:

a. A new advisor should look and listen before giving advice.

b. The American advisor should eat and live with the Vietnamese and accept their way of life.

c. Theft is a problem and a watchdog is good house protection.

d. It is a good idea to carry a weapon when one travels, and a person should have training in its use.

e. The educated Vietnamese felt that while there may have been some irregularities in the national elections (especially for senators), it was, on the whole, honest and a good step forward. Dzu (Peace Party ticket) fooled many people who later recognized that he represented VC interests.

f. The police function has progressed from a poorly organized, trained and equipped civil guard/national police to a unified and fairly acceptable internal security force.

g. The national police work for and are under the direction of the province chief who is supposed to report to the Minister of Interior, but in practice reports directly to the Prime Minister. The technical chain of command for the national police is also to the Minister of Interior (December, 1967).

C

h. The people of Hue are proud and consider themselves a little bit better than the Vietnamese farther south. There is probably some substance to this idea as in South Vietnam there are many Vietnamese of Cambodian origin who have not reached the level of cultural development of the ethnic Vietnamese.

i. There are national prisons, province prisons, and military stockades. The national prisons confine mostly political prisoners. Stockade prisoners are mostly deserters that are organized into labor battalions. While there are three types of prisoners (political, criminal and military), there is only one catagory of crime--civil crime. A prisoner of war is anyone caught in a belligerent act against the allied military forces.

j. Jails and prisons are supposed to serve the same purposes that they serve in the U. S. However, because there is not enough jail room, many people awaiting trial are put in prison. On the other hand, there are instances where a province doesn't have a prison and will use a jail to confine sentenced prisoners.

k. The Vietnamese don't usually give long sentences and previous convictions are not usually considered. It's possible to have twenty-five convictions ranging from one to six months each. Serious crimes (example, murder) may draw from ten to twenty years, and once in a great while a man may be sentenced to death.

l. Physical mistreatment and torture used to be common. American advisors have been able to reduce much of the out and out torture. It's still done and seems to result from a sadistic tendency of high-ranking people. The Surete (secret police under Diem) used torture as a standard procedure. Its successor, the Special Branch of the national police, is much more humane.

m. Very important political prisoners (VIP) get better treatment than does the ordinary prisoner, but even the ordinary prisoner isn't treated too badly considering facilities and detention circumstances. Much depends on the capacity of the prison and the number of prisoners it must accommodate.

n. There is little for prisoners to do except eat and sleep. Because of the crowded conditions in some prisons, inmates sleep in shifts. There are no individual cells. Some of the larger prisons do have vocational and academic training, but not many, because it is difficult to get instructors. Prison food is comparable to what the people are used to.

o. The Vietnamese judicial system is organized along the same lines as ours. As a rule, they don't use juries. The court is composed of three judges: a defense judge, a prosecuting judge and an investigating judge who are assisted by the judicial police that gather and prepare evidence (the arresting officer has nothing to do with the case). By the time the investigation is over, guilt

d

or innocence is pretty well established. If a person is found guilty, he may be sent to another court for sentencing. Investigation takes such a long time that a prisoner may be released the day he is sentenced. Sometimes an innocent man may be held several months before investigation is complete.

p. There is no pardon or parole system. However, prisoners are usually granted amnesty (release or reduction of sentence) on national holidays, change of government and other special occasions.

q. Whether a prisoner is allowed visitors is determined by the court at time of sentencing. The frequency of visits, visitation period and number of visitors allowed depends on the population of the prison.

r. Correctional cadres are trained to assist in rehabilitation of prisoners. They work with large groups of prisoners. Propaganda techniques are used, but under no considerations can their efforts be equated with "brainwashing." The approach is basically educational.

s. Men and women used to be confined in the same prison in Saigon. Women now have their own prison owing to American advisory efforts.

t. Some of the prison administrators have been very modern in their administrative techniques and staff response was gratifying. The prison system is operated by civil service employees. Civil service people are poorly paid and prison workers draw about the lowest salary of all civil servants.

u. Once in a while an advisor has a particularly difficul decision to make which directly affects our national interest. One such occasion was when General Phat attempted to overthrow the government and had troops at the Saigon prison gate demanding the release of one of Phat's co-conspirators. The Vietnamese director of the prison turned to his American counterpart for advice. The advice was good, but it was a very, very scary proposition.

v. An interesting case of oriental "one-upmanship" occurred when prison officials wanted to let a contract to a woman for an inferior product at high bid. The American advisor objected. The prison officials cancelled the bids, asked for new bids, and you know who got the contract.

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Summary Index

PREFACE

The material contained in this debrief represents the personal observations, experiences, attitudes and opinions of the party interviewed. The Asia Training Center (ATC), the University of Hawaii, the Agency for International Development (AID), and the United States Government in no way approve or disapprove of the actions reported or opinions expressed; nor are the facts or situations reported verified.

The purpose of debriefing personnel returning from Asian assignment at the Hawaii ATC is:

1. To obtain general information which will be of value to overseas trainees in their intended assignment.

2. To obtain specific information which will be of value to overseas trainees in performing in their specialties (agriculture, engineering, medicine, etc.).

3. To provide material for understanding the social and cultural framework of a country, and its particular and peculiar dynamics of social change. And, as a correlate, to discover customs, mores, taboos, and other relevant factors which affect interpersonal relationships between Americans and members of a host community.

4. To accumulate a bank of new or updated information for an institutional memory, for fundamental research and for application to future development assistance programs.

5. To record information which may not have been made a part of official reports on the functions, roles, frustrations, complaints, successes and failures of AID Field Operations Personnel.

6. To provide other information suitable for instructional purposes. For example, to identify problem situations of sufficient complexity and significance to construct case studies for use in ATC problem-solving exercises.

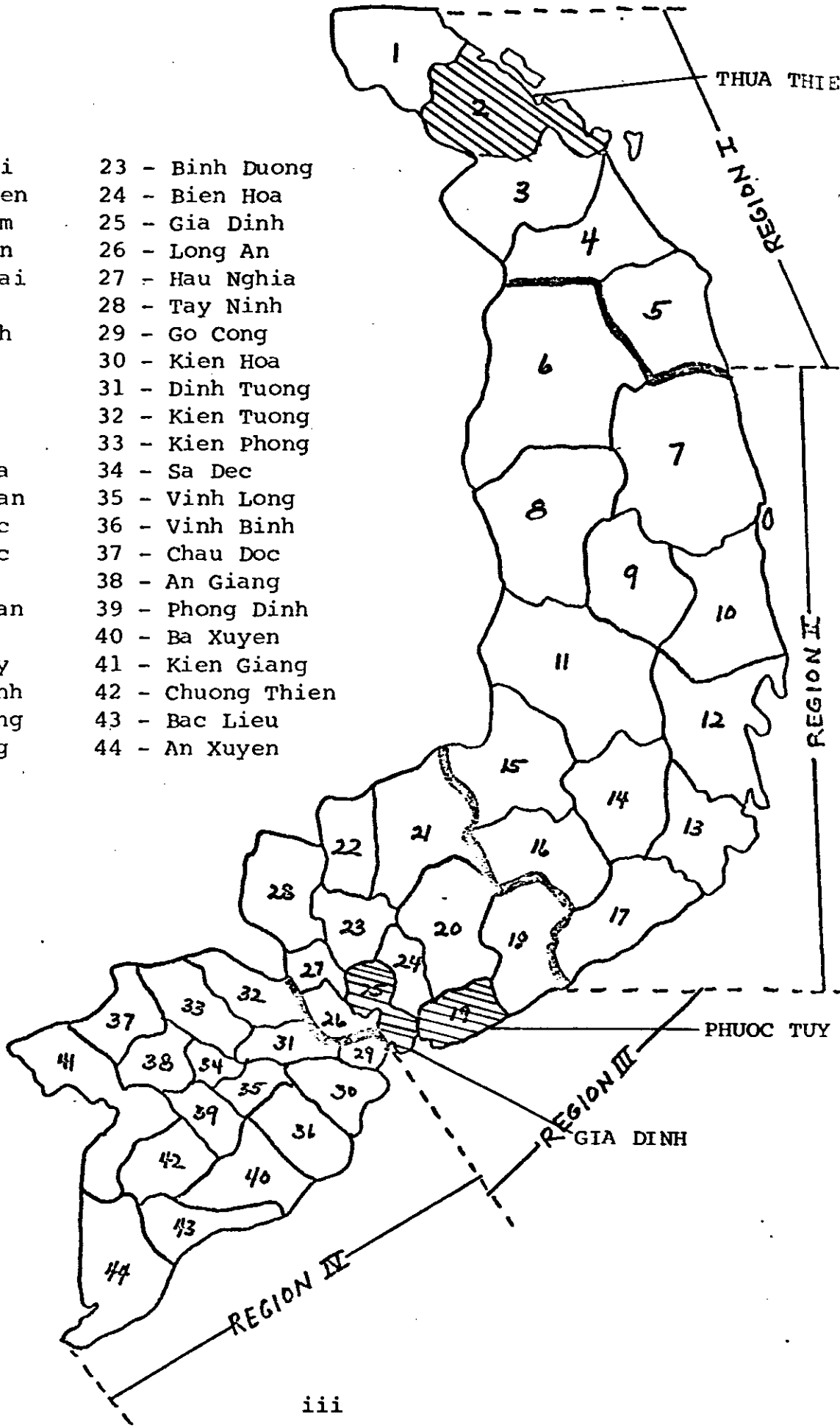
In order to obtain frank and open discussion, interviewees are promised that every effort will be made to prevent disclosure of their identity. For that reason, debrief reports

are identified by a code number, unless explicit permission is granted to reveal identity.

In the event, for some legitimate reason, responsible persons desire additional information regarding material presented in this debrief, the ATC in Hawaii will attempt to contact the person involved to obtain the required information or establish direct contact. Requests for additional information, or direct contact, should outline the reasons for the request and should indicate what use will be made of the information, if obtained.

Material contained in this report may not be quoted in publications or cited as a source of information or authority without written permission from the Agency for International Development and the University of Hawaii.

1 - Quang Tri
2 - Thua Thien
3 - Quang Nam
4 - Quang Tin
5 - Quang Ngai
6 - Kontum
7 - Binh Dinh
8 - Pleiku
9 - Phu Bon
10 - Phu Yen
11 - Darlac
12 - Khanh Hoa
13 - Ninh Thuan
14 - Tuyen Duc
15 - Quang Duc
16 - Lam Dong
17 - Binh Thuan
18 - Binh Tuy
19 - Phuoc Tuy
20 - Long Khanh
21 - Phouc Long
22 - Binh Long
23 - Binh Duong
24 - Bien Hoa
25 - Gia Dinh
26 - Long An
27 - Hau Nghia
28 - Tay Ninh
29 - Go Cong
30 - Kien Hoa
31 - Dinh Tuong
32 - Kien Tuong
33 - Kien Phong
34 - Sa Dec
35 - Vinh Long
36 - Vinh Binh
37 - Chau Doc
38 - An Giang
39 - Phong Dinh
40 - Ba Xuyen
41 - Kien Giang
42 - Chuong Thien
43 - Bac Lieu
44 - An Xuyen



REGIONS AND PROVINCES
OF

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Preparation and Orientation for the Position

Actually, I had no formal orientation or training for my jobs in Vietnam. They told me that there would be six weeks of training and orientation before I left--when I got to Washington they said three days. As a matter of fact, I got there on Monday and they told me I was leaving on Wednesday. I told them, "No I'm not. I'm going to wait until Sunday"--I had some things to get straightened out at home.

I didn't feel that I was poorly prepared for my job, however. I had been a policeman for over twenty years, served as a prison warden for a short time and I'd spent my military career in the jungles of New Guinea and the Philippines where we taught counter-guerrilla measures to the civil guard. I'd never been to Vietnam, but I found my military experience very valuable--particularly when I was working in the jungle territory near Vung Tau in Phuoc Tuy province. A lot of the area was mangrove swampland--I was at home there.

While I was working closely with the Vietnamese in Phuoc Tuy, I picked up a little Vietnamese and my counterpart spoke a little English. Also we had some people who had a little ability working as interpreters for us. All in all, I got along quite well with my counterpart. When we closed our camp at Vung Tau and I moved into Saigon, I got away from the language and lost any ability to converse in it.

Generally speaking, I would say that AID people going to post should know how the people live, the conditions that they're going to live under, something of the people's philosophy and attitudes to work, government, and how they feel about the Americans. The Vietnamese are somewhat of a sensitive people, they don't like people stepping on their toes. Most important is that the new men going out should

look and listen to find out what the situation is before he starts giving advice. Too many people are prone to find a solution almost as soon as the problem is revealed. Unless you know the background, the way the people think, their attitudes toward a problem you shouldn't give advice. Too many times people go out there, look and make a snap judgment. If you do that oftentimes you can get yourself in a spot--listening is very important. I think that anybody that goes out there must expect to eat and live with the people. On most of my trips I seldom ate with Americans, I'd eat with Vietnamese in Vietnamese restaurants. I have been told that one of the reasons I got along so well with the men in the directorate was that when they had a party or when we went out some place--I lived and ate with them and I accepted their way of life. Consequently, when I made a suggestion they thought about it before they said no.

Living Conditions--USAID Personnel

When I first arrived in Vietnam the AID mission was known as USOM (United States Operations Mission). USOM had leased houses in a compound that had been built for MAAG (Military Advisory Assistance Group)--known as MACV now. Because construction had been so slow MAAG had gone off and rented other houses. So, we ended up getting this compound with nine houses in it--eight of them occupied by Americans--the other one was occupied by the Vietnamese proprietor.

When I arrived the USOM people had me sign up for one of these houses and I stayed there during my entire time in Vietnam. The houses were ranch-type with steel lattice work across the doors and windows. One whole side of the house was open so we had good ventilation. We also had big ceiling fans that provided a reasonable amount of circulation. Most of the time we had electric power, but when the power failed, we usually moved out onto the porch. The back bedrooms were air conditioned. In some of the houses the entire house was air conditioned. Mine was a large house and the accommodations were good. We were provided with a double unit freezer-refrigerator, hot water heater and a lot of beds. We used butane gas for cooking. AID paid for the rent (which was pretty high) and utilities. I paid for my telephone for a long time, but because I used it so much for business purposes AID decided to take over the cost of it. The telephone would go out about every two months and we'd be without service until

they were fixed. I also paid to have two Vietnamese women domestics--a cook and a laundress--who helped keep the house up. When I left they had the compound all wired for a generator but it hadn't materialized yet. It was supposed to go in the garage where I kept my car. I had my own personal car which I used in going to and from work. I always used a USAID car for business.

We had some guards--they weren't really guards--just sort of watchmen--who worked at night. There were two gates to the compound, and they checked the gates. Everybody coming into the compound had to have a reason--that way we got away from petty theft. We also had a Vietnamese dog that didn't like anybody to come in the house without permission--she was a pretty good watch dog. One of our biggest problems was thieves. We had one attempted robbery and one robbery--our cook.

Travel and Security

As a prison advisor I traveled quite a bit, but I didn't have too much trouble with security. I've been fired on a few times. As a rule I didn't carry a weapon, but sometimes I did depending on where I was going. When I carried a weapon it was a .38 caliber. I only had a chance to fire back once. This was when we were training down in Vung Tau. A VC got up on the hill above us--we were using it as a backstop for our firing range--and opened up on us a couple of times.

I would recommend carrying a weapon when one travels in insecure areas and I think it's a good idea to have some training in its use.

GVN Officials and Fraternization

I lived quite an active social life in Saigon, I would say I gave a party at least once a month--sometimes even three or four. I gave some and my Vietnamese friends gave some--I'd say it was about equal. Sometimes the Director would invite me over and sometimes it would be one of the rank and file of the operation. Oftentimes they wouldn't ask me directly--they would just tell me there was going to be a party at such and such a place.

When my wife was there, we would go to a party and the only other woman who would be there was the American high school teacher. We finally got the idea across to them that they should bring their wives. Nowadays the wives usually go to social affairs in Saigon. As a matter of fact, two years ago, around New Year's time, they decided to have a party. The Director, my assistant and some other officials who worked in the prison said they were going to prepare all the food, bring their children over to my house and put them to bed. The house I was living in was large--in fact, you could put all three of their homes in it and not notice it. They brought in twelve children--three families. The children ranged in age from about ten down to about three. We sat down at the table and the kids ran around grabbing their food as they went by--eating on the run. It kind of broke the monotony.

I usually did my shopping for the parties at the PX or commissary. Usually when I had a party at my house I provide American food--when the party was at one of their houses, they served Vietnamese food. We had sort of an understanding about this. I like Vietnamese food--there is very little of it that I don't like.

National Elections

Just prior to the elections I talked to an old friend I've known for years. He had been one of the members of the University of Hue that was supposed to have been executed by the regime just the day after the coup. After this coup they were going to have this big execution of some 33 people in Hue and he was one of them. Of course, he didn't have much use for the Diem regime, but then--even when they came up with elections--he was opposed to the present government as it is now. He thought they were just as bad as Diem. But he was the exception rather than the rule. I talked to my counterparts and various others and almost all of them felt that this was a big step forward. I didn't talk to people on a very low level, such as the cyclo driver or taxi driver, but I did talk to people in the directorate that had the equivalent of a high school education and college and most of them felt that it was the right step to take. While some of them said that maybe there was a little skulduggery going on--such as rigging--that it was limited--especially when they had the elections for senators. One of them even said, "Are all of your elections honest?"

The man (Truong Dinh Dzu) that ran second ran on a peace party ticket--people were thinking that he might be the answer, but he wasn't able to get enough votes--thank goodness. Afterwards, they realized that he had pulled a fast one because every place that he came out with a majority was Communist controlled or VC controlled areas--almost every place--which seemed to indicate that he had been playing footsie with the VC. Prior to this election, of course, some people thought maybe that this might be the right party, but they were glad afterwards that they had voted the way they did. They put him in jail, but it wasn't for that. The charge that they made against him was for fraud. He, as well as others, deposited money in banks in San Francisco, which is against the law in the country. Also he charged people high prices, saying that he would fix the court so they could get out--all of these kinds of things. He's the kind that gets his money wherever he can. That was the official charge against him--the charges against him about being a leftist, or catering to the VC, were made primarily by the newspapers. They came out with it in their editorials, which is rather unusual.

Evolution of the Police Function in Vietnam

When I first arrived at Vung Tau a retired U. S. Marine general was in charge of training future leaders of the Civil Guard. At that time the Civil Guard was a paramilitary force, something like our National Guard except they were on active duty all the time. They actually did the policing in the provinces--there were very few policemen in the provinces at that time--so they acted as provincial police. They were under the control of the province chief who used them as he wished. Primarily, they were a security force, similar to a commando force that was supposed to prowl the backwoods and keep track of the VC. They were used to keep order in the villages, guard bridges, the province chief's house, and his business interests. They had the power of arrest, but as they had no judicial system to handle their cases, arrested persons were turned over to the national police. The national police were little more than guards--they stood around the perimeters. There might be one in the marketplace--a couple on a bridge--and three or four around the province chief's headquarters. They were very poorly trained. About 15% of them had received a little training--the rest had nothing but on-the-job training. Some of them didn't have the faintest notion of how to use the weapon they were carrying on their hip. In many cases they

didn't even have ammunition. In a few cases they might have two or three rounds of ammunition in the gun--that's all. It was a pretty pitiful organization.

The Civil Guard was also poorly trained and equipped. We were trying to assist in building leadership and improving training. The program was to give about 15 men at a time a six week course in basic training for jungle fighting. Many of our trainees were Special Forces types--we trained them in such things as first aid, conduct of a soldier, firearms, patrolling, survival, and leadership. We also tried to teach them such simple things as how to pack gear for jungle travel. They didn't think this was very important or necessary.

We had just got the school started when the Ministry of Defense took over the Civil Guard putting us out of a job. It is interesting to note that the overall leader of the Civil Guard was a man named Colonel Phat, who finally made a name for himself as General Phat when he "goofed" in the February 19, 1965 coup attempt of which I'll have more to say later. Anyway, in 1963, I think, all province police were organized into one organization, the National Police. The National Police is being built up to perform many of the functions of the old Civil Guard. Each province has a chief of police. The province chief of police is in charge of the entire police organization of the province, but he still reports to the province chief.

Organization of the National Police

On the highest level there is the president, the prime minister, and the various ministries. The ministry is directly responsible to the prime minister for its acts. The administration of the National Police rests in the Ministry of Interior and is headed by the director general of the National Police, who is at this point in time the well known General Loan. In the ministry you have blocks (what we would call sections or branches) such as the Planning Block, Training Block, etc. One step below the director general you have directorates. Usually, the next step below is the services and below the services are the bureaus. Not every ministry is organized this way.

The province chief is supposed to answer to the Minister of Interior, but in practice, he is responsible directly to the prime minister. How much the province chief can ignore the Minister of Interior depends on how strong a man the minister is.

The province police chief, who reports to the province chief, controls a relatively large primary police force--sometimes three or four hundred policemen. Under the province police chief you have district, village, and hamlet police, each with its chief or a man in charge. In some cases, the National Police have assumed the responsibility for training village police.

Views on the People of Hue

Early in 1961, three of us were assigned as regional advisors. I was given the Hue region--or what was called the North Central Lowlands. As my counterpart I had the regional director of police. It was my job to find out what he needed in the way of support, training, etc. and in what way we could help. Also, I told him what we thought about the methods he was using and made suggestions. Of course, in some cases our suggestions fell on deaf ears because he thought he knew how to run his own operation. However, for the most part, he was interested in improving. While I was stationed in Saigon at the time, I spent considerable time up at Hue.

The people of Hue have a different attitude. They consider themselves a little bit better than the Southern Vietnamese. Some of the better Vietnamese leaders have come from Central Vietnam and they are quite proud of them up there. Of course, the Northern Vietnamese that come down consider themselves a little bit better than either of the others. It's one of those things that make you wonder--I don't know--any of them will work. You have your good ones and bad ones in all parts of the country--south, central, and north. I have friends in both Central and Southern Vietnam, but I can see a difference in attitudes. They approach things differently. The general attitude of the Central Vietnamese toward their work is "It's a job to be done and I'm going to do the best I can." The Southerner is more likely to say "It's a job to be done and I'm going to get by as easy as I can." I have a very good friend who is from Central Vietnam. Knowing him as I do and comparing him with some others, I can see that he has higher personal standards. I think that the people I've known from the North Central Lowlands were of a little higher level than the others from the South--I think the central and northern people are of a better class. There's one thing that I think may account for this. In South Vietnam--especially in the Delta region--there's a lot of Cambodians. They don't seem to be on as high an economic and social level as the

Vietnamese--from what I've seen and heard. They seem to be on a low level of mentality and ability. Many of the Vietnamese, like the Thais, are craftsmen, but few Cambodians are craftsmen--they have a rather limited capability.

Prisons and Jails

When I became prison advisor, I visited all the prisons in the country--there were forty-four of them. They were spread from the 17th parallel--Quang Tri--to Con Son Island off the southern coast of Vietnam. There were only about thirty-six or thirty-seven provinces at that time and almost every province had a prison. In addition, there were eight national prisons--two in Hue and one each at Con Son Island, Saigon, Ban Me Thuot, Thu Duc, Bien Hoa, and Go Cong. These eight national prisons confined political prisoners for the most part.

There are three broad types of prisoners: political, criminal, and military. However, in many instances, they don't differentiate between military crimes and civilian crimes--they're all civil crimes, for the most part, as far as they are concerned. There are three types of crimes in this category: civilians commiting military crimes--VC, VC suspects or sympathizers; military committing civilian crimes--a deserter or someone who refuses to fight, obey an order, etc.; and those who commit political crimes--people who get involved in coups, riots, etc., and pick a loser.

There were between seven and eight thousand people that were classed as prisoners of war--not just North Vietnamese, but anyone caught in a belligerant act against the allied military force. Four to five thousand of these were in the civil prison system. Another two to three thousand were in military stockades and were used in labor battalions. They had several thousand labor battalions--I couldn't say how many because I didn't see the records. These stockade prisoners were mostly deserters--I know in June of 1967 military courts convicted 1,590, of which 1,490 were deserters.

At the time I left, there were about 30,000 prisoners in provincial and national prisons. Included in this figure are the various classes of criminals I've talked about plus persons who have violated, or are alleged to have violated, the civil law. A prison and a jail in Vietnam are supposed to serve the same purposes as in the U. S. In Vietnam the jails are operated by the National Police. Their jails are supposed to be a place

to bring a man charged with a violation, interrogate him, and hold him for trial. In their operation, unfortunately, they didn't have space enough, so they dumped them into the prisons. At last count 52% of the prisoners in prison had not been to court.

Generally, after a man has been sentenced, he is sent to prison; however, in a few provinces where they don't have prisons they use the jails for detention. Usually they try to send them to a province that has a prison. For example, take Long Khanh, which is the province north and east of Saigon. They didn't have a prison so they sent their sentenced prisoners to Bien Hoa, where they had a prison. But, oftentimes, they will hold them in jail for weeks before they send them. They wait until they have enough to send at one time and send their security force along to see that they get there.

They don't go in for the long sentences that we do. Their system is quite a bit different in that, for example, a man may be sentenced for three or four months for petty theft and go to prison for it. Just as soon as he gets out he may get involved again and go right back to prison--they don't look at his record when they sentence him the next time--they just sentence him to three more months. Some of them just go in and out of jail all the time. I checked on one with a record of 25 convictions--none of his sentences were over six months and some of them were only a month. They will often sentence a man to two or three years for theft, etc. if it's serious enough--more serious crimes, such as murder, may go as high as ten years or sometimes even twenty and once in a while they do sentence a man to death.

Treatment of Prisoners

Prior to the time of the police reorganization I mentioned before, they had what they called the Surete--in addition to the National Police. This was a covert organization that was supposed to dig out "wrongdoers"--according to the standards of the province chief or other high officials. They would take the prisoner into their interrogation room and question him as they saw fit--which in some cases was much worse than any third degree we ever thought of in the U. S. It was awfully bad at one time--their interrogation methods were terrible. This was still true occasionally when I left. I think there are some sadistic people in authority. In some cases, the higher ranking people tend to have those approaches and characteristics. I re-

member where we had a case where the police took a man out of prison for interrogation. When they brought him back he was in such a terrible condition that the chief jailer refused to let him in. Finally they called the province chief and he told them to take him to the hospital and the man died two hours later. Regardless of whether the man had any intelligence or any information for them there was no reason to beat him to death.

I think things have changed quite a bit from the days of the Surete, though. The prison commandants still carried a cane and had a tendency to whack people once in a while when they didn't think the prisoners were jumping just right, but the American advisors have done a great deal in this area. The advisors to the Special Branch of the National Police have shown them that there are better ways of interrogating people. (The Special Branch has two functions: interrogation for intelligence and interrogation for investigation.) In the changing of the attitudes of police work, we had to work fairly high up. We tried to change the middle, or working, level--what we think of as lieutenants and captains. We had to get those people into the right groove before we could do anyting with the man down below. We could teach the man down below everything we knew, but if he didn't get an order from his boss, he would only do what he had been told to do. If a man was told to stand on the corner and watch the traffic he'd do just that--watch the traffic. There could be an accident right in front of him and he'd do nothing about it--he had been told to watch the traffic! Now, it's entirely different. This is one of the areas I feel optimistic about from the changes that have occurred during the period of time I've been there. The approach is, if they go to an intersection, they handle the traffic in that area--if somebody runs a red light, they whistle him down; if there's an accident, they either handle it themselves or get a crew there--they don't just watch the traffic. This has happened throughout the whole organization. Now there are schools for twelve weeks, which is three times as long as when they started out.

Generally speaking, VIP political prisoners get better treatment than others. For example, some of the big shots in the government under Diem had nice quarters with beds, mosquito netting, etc. (The ordinary prisoner sleeps on a mat on the floor with no mosquito netting.) They are also allowed to bring in their own food and have it prepared right there if they want. They usually pay for the food and extra service; however, VIP equipment is usually provided. For example, there

were supposed to be several hundred surplus hospital beds available at a particular hospital. When I went to look for them at the hospital, they weren't all there. Later, I happened to visit a prison and there they were--being used by the VIPs.

The ordinary prisoner wasn't treated too badly considering the facilities available and the circumstances under which they had to be detained. Normally they weren't physically abused. The usual method of discipline was isolation, which I approve of. The prisoners didn't like that and they'd do anything in the world to stay out--unless they were absolutely hardcore. There were a few cases where this type of prisoner was beaten. At one time it was quite common, but we managed to change that attitude.

Living conditions depend upon the prison and upon a lot of things. If you have two thousand men in a prison designed to hold five hundred, your sanitary conditions are going to be less than desired because of the mass of people you have. But, generally speaking, the prisons are reasonably clean. It's not uncommon to go into one of their kitchens and not see any flies--they have open-air kitchens. Of course, this was given a little encouragement by some of us who had visited these kitchens and told them to take care of the fly problem and get rid of them. I know of one prison where at one time you couldn't breathe because of the flies and just five years later there were only two or three flies buzzing around. Just over the wall and less than fifty yards away was a marketplace where you didn't dare to breathe because the flies were so thick. Yet the difference was in the cleanliness of the place. You see, they don't have individual cells--there are large numbers in a room. Some of the jailers and some of the province chiefs feel that as long as there is any space left they can put a man in. We figure that the minimum requirement is two square meters per man but, unfortunately, in many of the prisons there is less than one meter per man--in some places it's just about all a man can do to squat to sleep--they can't even stretch out.

They really don't do much except eat and sleep. When they are overcrowded, as they are, there isn't much for them to do but sit around all day long. Sometimes they sleep during the day so somebody else can sleep at night. Some of them have things like vocational training and they do have some academic training, especially for the illiterate. But, since the prisons are badly understaffed, it's difficult to get qualified instructors in vocational training. We are fortunate, in the

larger prisons, to have various industries such as carpentry, chair making, concrete tile making which they sell on the open market. The money (after they've taken out costs) is distributed these ways: 30% goes to the prisoners, 30% to a welfare fund, and 30% to a vocational training farm. The money that goes to the vocational training farm is to buy materials and equipment. The welfare fund is used for the prisoners. For example, if a prisoner is released 500 miles from his home and he has no transportation--they'll buy him a bus ticket.

Prison food is comparable to what the people are used to. They are allowed 27.80 piasters per man--that's in the highlands where the food is expensive. In the Delta it runs about 23.50 piasters--which would be about 25 cents--a day to feed a man. It's rice--wet rice--and usually fatty pork with nuoc mam, vegetables, and fruits. If they happen to be where they can get fresh fish, they'll have fresh fish cut up in cubes--the larger ones are cut up. The small ones are cleaned and thrown into a big pot, cooked until the meat comes off the bones, and eaten. Sometimes they have beef, but it's primarily pork and fish for the meat.

Justice, Mercy and Rehabilitation

Most of their courts are made up of three judges. Their civil court system is quite similar to ours--supreme court, court of appeals, court of the first instance (which compares favorably with our district courts), and peace court. Then, they have what they call customs courts or highland courts where the highlanders try a man for violating customs of the tribe. The court of the first instance is usually handled by three judges--one judge is the defense judge, one is the prosecutor and one is the investigator. In other words, he investigates the crime and makes it clear that there is a crime and, to some extent, looks out for the rights of the suspect or defendant. As a rule they don't have a jury, although in the past a number of them have had juries, but it's not common. Usually, the judge renders a decision and he may pronounce sentence or they may take a man (if he's taken to a court with extended jurisdiction) and send him to a court of the first instance for sentencing. Oftentimes, they will sentence a man in one province and he'll go to another province to get his sentence. His sentence may be a fine (particularly in military courts) or, in the case of an embezzler, they may confiscate his property. Most of the time they just sentence them to

prison--there's no such thing as probation or parole, as yet. In a few cases the prosecutor may let a man out on his own cognizance, or he may post a bond with the prosecutor to get out so he can work while awaiting trial.

They have a rather odd system there. The policeman on the beat may make an arrest but he doesn't do any investigating--that's the responsibility of the judicial police. The case is turned over to the judicial police and they make all the investigation and prepare the documents for the prosecutor. If the prosecutor decides that he has enough evidence, the judicial police help him with his prosecution of the case. The policeman himself has nothing to do with it after he makes the arrest. It sometimes takes months to get all the information gathered, so it's not uncommon for a man to be in jail for a year prior to his day in court and then be released on the day he's sentenced. As a rule, by the time they get through with their investigation they know pretty well if he's guilty or innocent so it's not likely that a man would spend a great deal of time in prison and then be found innocent. They would lose face if he were found to be innocent.

In some instances a person may be held for what we consider a long time and then be released. It's common, especially in the handling of civilian defendants. They go out--say on a military operation--and police up a lot of people. By the time they get around to interviewing them--say you bring in a thousand of them at one time and only have a few interrogators--it takes quite a while to even process them after the preliminary screening that they got at the time of the round up. It's not uncommon for large numbers of these people to be released as innocent civilians -- after having been detained for two or three months sometimes. Processing, interrogating, and interviewing them is what takes the time.

While, as I said, there is no pardon system as we know it, there is often amnesty declared for a certain number of prisoners from time to time--which is the same as a pardon as we see it. It's usually done on a national or religious day--such as the recent inauguration of the president, which coincided with Revolution Day--the 31st of October and 1st of November. Now, this works two ways--normally a man is released if he has served two-thirds of his sentence and his conduct in prison was satisfactory. That's the normal way it's done. At the last amnesty period they cut it to 50%--those who had served 50% of their sentences and had a good record were considered for release. Now, this is done on every one of these holidays--such as Tet,

National Day, Christmas, New Year (both theirs and ours). They start the planning for this several weeks before by processing the prisoners who might be eligible. These names and records are then sent to the directorate for processing. Then they go to the ministry for final okay and then back to the province. Prisoners are released on these holidays with great fanfare. They also commute sentences from death to hard labor, from hard labor to easy labor--or whatever the next step down is. Sometimes they even reduce their sentences. Often if a man is found to be innocent or if he's served his sentence and it's only two or three days until one of these holidays, he's held over so he'll contribute to the number that are going to be released. In one case, a province chief held four hundred of them. He knew they were due to get out but he held them until Tet and then released them. He gave them some piasters, bulgar wheat, cooking oil, etc. He got the money from a slush fund in the province credit bureau. I think he got the commodities from the Food for Peace Agency. Whenever there is a change in the government at the top level, many prisoners come and go. When Diem left there were 23,000 of them released. In 1963, when Diem was overthrown, they started talking with the courts about changing the man's sentence and getting him out. They process them out just the same as they process them in. Of course, a lot of these people were never even sentenced--they were just thrown in prison. Under Diem, the Special Police had seven or eight secret detention areas--like certain villas, certain buildings--they used as detention centers for the enemies of Diem. They would just disappear--no record made up--you couldn't find a record on them. In many cases they were never able to find any of the people. There are all kinds of stories about it. One of them was the one about the "tiger cage"[1] in the zoo. They had a torture chamber down there and people were tortured--the water torture and various other kinds. In the prisons there were probably a lot of the enemies of Diem that were never tried or sentenced. The majority of them, especially those they wanted to eliminate, were in these private prisons of the Secret Police under a man named Tuong. Ky released several thousand when he was inaugurated by changing the requirement. Prior to this time when a man was eligible for release on an amnesty on a national day or a religious day he had to have two-thirds of his sentence behind him and also a good record for conduct in the prison. Ky cut it to 50% of the sentence. People granted amnesty or at the end of sentence, usually regain rights of citizenship, except they do have one thing that makes it rough on a man sentenced to Con Son Island, off the southern coast. They send prisoners down there with

[1]One of a series of caves dug under the Saigon Zoo.

three or more years to serve. If it's a long sentence--say he's convicted for murder or rape or some serious crime of that nature--at the end of his sentence the commandant writes to the province from which the man came and asks the province chief if he wants this man back. If the province chief says he doesn't want him back when he finishes his term on Con Son Island, he becomes an exile and stays on the island. He's free as far as the island is concerned but legally he's not supposed to leave the island. He's supplied with the necessities of life--clothing, some food (usually they have a little garden of their own), and a few chickens. At one time they had about 75 of them there.

The prisoners are allowed visitors--depending on the court or whose jurisdiction the prisoner is under. If the prisoner is convicted and is under the jurisdiction of the province chief, who in turn passes that jurisdiction down to the chief jailer, they are given certain privileges as to visitors and food packages. Sometimes maybe twice a week, sometimes only once a week, and sometimes mayoe twice a month. The number of the visits depends upon the population of the prison. I was visiting a prison in the Delta where they had two thousand prisoners--they allowed the visitors to come in for ten minutes. They would ring a bell, one group would leave and another group would come in. If they were from an outlying province they were allowed thirty minutes, but the people that lived right there were only allowed the ten minute visit. The privileges and conditions of visitation were based on many things, but basically there had to be court approval. When visitation was allowed packages were always thoroughly checked for contraband and visitors and prisoners were either separated by a table or a screen.

They have trusties, but they lock them up at night. Lots of times they go out and work at the province headquarters--policing up around the yard and doing janitorial work. Con Son Island has several hundred acres of farmland and they raise rice and a lot of vegetables and fruit. Vegetables grow very well there all year round. During the dry season we do have to hand water them though. Most of the prisons don't have enough space for vegetables. Usually the prison is in town or the land around it is at a premium.

There were several elemental steps being taken in the area of rehabilitation. They had what they call a Civic Action Group--a correctional cadre--we called them correctional

workers. They would gather a large group together and discuss the government. They had gotten away from this "down with Ho Chi Minh" and "up with Diem" attitude. They discussed the government as a democracy and how it should be run--why it's better than the Communist approach in that individuals can be individuals. They discussed the people in private enterprise--cyclo drivers--people interested in making their own living in their own business. They approached them from this angle. The propaganda against the Ky-U. S. clique--or whatever it was called--was even discussed. They tried to show how it wasn't a clique but was just an operation. The fear that the Americans are going to colonize came up and they discussed that--they were told that the Americans are going to get out as soon as they are sure that the government can survive and that the Americans want them to be a strong country on their own and not any part of the United States. If you have 4,000 persons in a 600-man prison, it's pretty hard to do much indoctrinating. They do it with a loudspeaker system, but you're not getting anything even in a group therapy approach, to say nothing of the individual. To be able to do anything with these people you have to have either small groups or individuals. Another example, the quartermaster set up a sewing production center right in Saigon where they had something like 500 or 600 sewing machines going full blast for two eight-hour shifts a day. They make most of the uniforms for the armed forces of Vietnam. They were interested in getting our manpower in the prison--that was one of their problems, they just couldn't get qualified people. We arranged to teach a large number how to operate the machines. I had sent some 18 people down to this center to be trained--not only in the operation of the machines but to set up the machines in the shop--how to organize it--how to get the material to the right place at the right time--how to get it away from the machines without plugging it up. So this lieutenant came up to my office and said "I found that these people are now getting political indoctrination so they'll know how to be supervisors. I understand that they have to be politically brainwashed." So I got out the schedule of the training course they were going through--it was eight weeks. The closest anything came to political indoctrination was "how to handle prisoners properly"--that was the closest thing. He thought they were being brought up there to be politically brainwashed so that they could sell the right story to the prisoners while they were sewing. We didn't have a thing like that in this course. The correctional workers did have an indoctrination

course, which was part of their job. The same thing we do with psychiatry--they learn how to affect peoples' minds to work with them. The correctional workers are the only ones that receive this particular course--not the jailers or the instructors. This was more training than had ever been given in the history of the prison system. In addition to that we had a chief jailer's school into which we brought people from the ranks to a special class because of their outstanding grades, I. Q., aptitude, etc.--we gave them an aptitude test. Those that rated high and their conduct as a jailer was above average--these would be considered for this special course. This lasted about two months--above and beyond the basic course where they were taught the proper way to handle a prisoner. That reflected some improvement. They were also trying to get some vocational training--some schools started.

Women's Prison--A Problem in Innovation

Shortly after I arrived in Vietnam, I visited a large prison in Saigon--it's an octagonal ring with the cells all opening into the center, which is open and has no roof. Off to one side there is a blockhouse which was used for the women's ward. It was crowded and, of course, the women--to get in and out of there--had to go through the same hallways as the men, so there was a constant flow of women back and forth through the hallways. I felt that it wasn't desirable and suggested to my counterpart that maybe something could be done about that. I explained to him what could possibly be done--maybe transfer them down to Thu Duc and bring the prisoners from Thu Duc to Saigon. Thu Duc was a small prison with a capacity of around 1,000 and was about 25 kilometers from Saigon--up the river a bit. They hemmed and hawed around about it and finally said that maybe I should talk to Colonel Dat about it. I had discussed things with him on numerous occasions and gotten nowhere with him, so I thought I'd try a little different tactic. Under Diem he was the Director-General of Corrections. At that time they were kind of giving us the "don't get too close to us" attitude and pushing us away. To get an appointment with him I had to ask at least a week ahead of time. Then as a rule, rather than discuss what I wanted to discuss he would want to discuss something he thought was important. We were talking about something one day and I said, "You know, it might not be a bad idea to move the women down to someplace

like Thu Duc. It's close enough to Saigon so that it's readily available to the police and the courts, but they would be separate." He didn't think we should do that--and that was all that was said. The next time I had an appointment with him, about two weeks later, I touched on it again. I said that I was sure that Madame Nhu would approve of this. It went on for another two weeks, then I said to him "Colonel, you know, I've been thinking over that idea of yours to transfer the women down to Thu Duc and I think it's a damned good idea and I know Madame Nhu would approve of it." The next thing I knew the women had been moved to Thu Duc. Colonel Dat told me, "You know, I'm glad you approved of my idea of transferring those women to Thu Duc." That was the only way I could get anything across to him. When I got to the point of discussing "his" idea then I pointed out all of the advantages and how this was quite common in the United States where they had problems similar to this. I believe that he really thought that it was his idea--because I pulled the same thing on him several times. He was just like running into a stone wall--he was against change and against anything that we suggested. But, by being a little sneaky about it and sliding it in when he wasn't looking.... So all of the women from the large prison in Saigon were sent out there--there were about 600 in that one camp--both civil defendants (CDs) and criminals. The criminals, of course, were mainly convicted of prostitution and things like cheating in their businesses--all of them run a little shop and get caught once in a while for dealing on the black market or something like that. There are a couple over there that I know about that were purely political--they spoke out against the government and the government kept them in there so they couldn't talk so loudly.

The prostitution law is a rather strange law--you have to catch a woman three times before you can prove that it's prostitution--it's one of Madame Nhu's laws. Actually, the sexual act itself is not necessarily prostitution, it's receiving a gift or money and the continuation of the act that constitutes the crime. It's the being in the business and getting caught at it.

Prison Administration--Civil Service

Colonel Dat operated his directorate by telling his staff what to do--he didn't ask them. He wasn't in favor of

them making any suggestions whatsoever. This is pretty typical of that type of man. He would meet with his staff and tell them exactly what to do and how to do it. When Colonel Thu came in, he reversed the process. For example, I'd bring some idea in and suggest it to Colonel Thu and he would start calling in members of his staff that dealt with that particular area. We often had as many as eight or ten people sitting in a circle. I'd suggest something and when his interpreter translated it, he would start asking questions. With Dat it was just the other way. Dat moved in in June and was there until 1963, and then Thu took over.

My most recent counterpart (he's been acting director for the last six months) was a very high class type. He had a degree in administration and he spent seven months in Southern Illinois University at Carbondale. He had something like seven years in various departments. He's an excellent teacher and does a lot of teaching in these schools. He's a better than average administrator; he doesn't like to fool around like the rest of them with their dictatorial or mandarin system of running an office. He'll call his assistants and secretary in and they'll discuss the problems that exist. Then he'll say "I have a problem here and I would like for you to work out a method of solving this problem and come back and tell me what it is. If it's a good solution, we'll check it over and see if it works." The other administrators would say "This is what I want you to do and this is how I want you to do it--one, two, three, and four." They wouldn't let an individual figure it out for himself.

The first time that he gave it to them, they were just thrilled. They had the staff all out there waiting to get their orders and he said, "No orders today. You have problems--you tell me how you're going to handle them." It gave them importance--they didn't know what to say.

The Minister of Interior is a political appointee--a military man by the name of Vien--he's been in the government since Ky took over. He has under him quite a number of old time civil servants. His assistant, for example--a man by the name of Linh--has been working in civil service since he was about 18 years old. He is now getting near retirement age, which is supposed to be 55. Sometimes after a man reaches retirement age, he's retired and then hired back on contract. A retired civil servant gets about 25% of base salary. In civil service you get a base pay for your grade

and then you get additional pay for various things--so much more for each child, for example. Retirement pay isn't very much--in the case of a jailer--he gets 200 piasters a month, base pay. Prison workers draw about the lowest salary of all civil servants--not much different than in the United States. The guards were promised a pay raise, but they hadn't gotten it yet when I left. We were working on it because they were badly in need of a pay raise--everything was inflated but their paychecks.

The Phat Coup Attempt--A Problem of Decision

After the overthrow of Diem in November of 1963, we were told not to contact our new counterparts until they had gotten their feet on the ground. However, as soon as my counterpart, Colonel Thu, got into his position, he put in a call for me. He called me in and told me that he was a military man, not a prison director, and knew nothing about it. He said that he was going to depend upon me and the members of his staff who had background and would go along with anything I would suggest but "don't get me in trouble." He would call me on any problem that he had to face. We had a very good relationship and that's how I got involved in the Phat coup attempt.

On February 19, 1965, we knew something was happening, but I, personally, didn't know exactly what. You could tell by the fact that the people weren't moving around much, so I knew something was happening. I didn't have any special intelligence on the matter. They probably knew something at the embassy, but I wasn't aware of it. Usually, you could tell if there was something in the air because Ky's fighters would be up--things would tighten up--and there would be large troop movements in town. Anyway, there were General Phat and a couple of colonels--Tuong, who had been chief of the secret police under Diem and was in prison and Thau, who had been in Washington, D. C. as some kind of staff member for Diem. Thau sneaked back into Vietnam just prior to this attempted coup. The three of them tried to put the Diem forces back into power. As I mentioned before, I knew Phat as a colonel at Vung Tau. I didn't think much of him. He was typical of

the senior officers at that time--brutal and dictatorial. It wasn't uncommon for him to throw someone in jail for a trivial thing. He threw a lieutenant in jail one time because he slipped on some boards the lieutenant had put down for Phat to walk on.

Phat and his associates moved into Saigon with their troops and tanks. It looked like they were going to be successful. They had taken over the power stations, the radio stations, and had a pretty fair sized force at the prison. It wasn't surprising to me when Colonel Thu came down to my house--my family had already been evacuated and I was alone--because I knew that he had a number of political prisoners that would be released if Phat took over. His French was very good, but my French and Vietnamese were very poor, so we weren't communicating. Finally, we got into his car and drove down to where my assistant was, got him out of bed and we all sat in the car and discussed his problem. As Director of the prison system, he lived at the prison--he had a large house there. About an hour before this, this Colonel Thau--the number two man in the coup, next to Phat--had come out to the prison with a rather substantial force and demanded the release of Tuong, who had been the head of the secret police under Diem. The Director came down and asked me if I felt that he should release the man. We discussed this for some time. I thought, "If we do and guess wrong, or if we don't and guess right--what are we going to do?" I was thinking of all the possible results. If we released the man, the next day I might have to visit Colonel Thu in prison, if I wasn't there myself. Other people have made mistakes and have suddenly found themselves persona non grata or worse. As a matter of fact, I know of an American military advisor to a division commander who was in on this attempted coup. He was not only relieved of his job, but he was also kicked out of the country-- in just a short time he retired. If you happen to be on the wrong side of the fence when the smoke clears--. Well, finally I suggested to him that one answer might be to go back and tell Thau that he would release Tuong if he (Thau) would get a note from the Minister of the Interior, who was his superior at that time. Of course, the Director was in a bind--if the coup was successful and he failed to release him, he would be in prison; if he did release him and the coup was a failure then he would have to reply to Ky. Of course, he was in quite a quandry. Apparently, he heeded my suggestion because he went back and told him that if he would get a release notice from the Minister of Interior he would

release the man. Apparently he couldn't get to the Minister--the Minister was in hiding because of the coup. He stayed out of sight until the next morning when Ky brought in his Skyraiders. Of course, by the time he got around to seeing the Minister of Interior, the coup was over--it was squashed. Ky took his Skyraiders upstairs and told Phat that he had 30 minutes to get out of town. They didn't argue the point, they got out of town--and fast. Then, they went looking for the coup leaders--of course, many of those people are still locked up. They just brought some of them to trial a short time ago. Phat escaped and I think he's still in country--but I'm not sure. My friend went on for another year and a half as Director. They finally downgraded the operation and he was relieved and transferred to another department as chief of the investigations for the rice problems in the Delta area. It was really a promotion for him. He had worked there for almost three years and that was probably the closest he had come to getting into trouble.

A Problem in Negotiation

Equipment is purchased for the prison shops. Sometimes we bought it for them and sometimes they bought their own. If they had the funds available and the equipment was in country--they bought it. If they did not have funds and the equipment was not in country--we bought it for them. They wanted some tile presses--they make a tile by pressing double layers of cement together. These machines build up a pressure of about 33,000 or 40,000 pounds of pressure on these tiles. They reduce it from about one inch to about three-fourths of an inch and soak it to cure it. After curing for a few days, you can lay it and it makes a beautiful floor. They decided that this would be a good business in a prison shop--I agreed with them and we went along on a contract. We got the bids out and it came out that there were two people who had bid and qualified. I don't know whether you are aware of this, but in Vietnam the government sets a base price on machines--this also pertains to construction. If they say the machine is 38,000 piasters--that would be the base price. Then contractors bid 10%, 30%, or 40%, whatever it might be above base price. Recently it's been as high as 240%. In this particular case there were two bids--one for plus 12% and one for plus 18%. As the representative of USOM at the bidding, and because it was American aid funds that we were using, I was at the bids. For an obvious reason,

the bid of plus 18% was accepted, but I refused to go along on it. We decided that we should look at the machines. We went out to the shops (both of them) to look at the machines--the man who had the plus 12% bid seemed, to me at least, to have the stronger machine--more pressure. Not only did they have more steel in it, but it was the same quality of steel and the welding looked just as good. They also had a fourth side--the inside was hollow--a four-sided affair to give it additional strength. The man also had offered to furnish certain additional plates and clamps. We looked at the two of them and discussed it further. In the meantime, this woman (the plus 18% bidder) had approached other people--just which ones I'm not sure--and told them that she would furnish the plates and would also put the inside sheet in. I still refused to go along with it and told them why. I told them that if that machine was so good why did she have to add anything. I said that this proved that her machine wasn't as sturdy as the other one because she was ready to go along on this reinforcement. They decided then that they would disregard these bids and ask for others. That was their solution to the problem--you can guess who got the bid. She was typical of many Vietnamese families--her husband was either a public servant or a military man and apparently she was determined she was going to get that bid. However, later we went back and bought six more machines from the other man on a bid.